



## **500.40 Evidence Collection and Storage**

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### **POLICY**

The Hendry County Sheriff's Office has established guidelines and responsibilities for the identification, collection, examination, and storage of evidence and property by personnel of the Hendry County Sheriff's Office. The various districts and divisions within the Sheriff's Office will properly equip or make available to its personnel equipment and supplies to recover latent prints, photograph crime scenes, sketch crime scenes, and to collect, package, and preserve evidence.

Florida Department of Law Enforcement prepared an Evidence Submission Manual which is followed by all Sheriff's office personnel collecting, packaging, and persevering of evidence. Sheriff's Office maintains a 24-hour a day on-call crime scene unit who has received specialized training and refresher training in the equipment, computer programs, and techniques used by the agency.

### **PROCEDURE**

#### **A. Collection, Recording and Packaging Evidence**

1. Submission and storage of photographs/digital images refer to Procedure 500.60: Digital Imaging.
2. Sheriff's Office will maintain the collection and processing of all property/evidence at all times.
3. Most types of evidence may be placed in clear bags. Property/Evidence will be placed into the appropriate container which may include a plastic bag, a paper bag, a box, a vial, a plastic tube, or other authorized container.
  - a. Evidence items shall be packaged separately to prevent the contamination of evidence. Special security risk items will be packaged separately. Special documentation should also be taken into consideration when confiscating these items of evidence. These items include, but are not limited to:
    1. Small items such as hair, fibers and paint chips will be placed in paper folds or appropriate containers.
    2. Examination – will be placed in plastic bags. Documents should be photocopied prior to submission for analysis.
    3. Latent fingerprint – will be handled with care as not to contaminate or destroy latent and submitted for analysis.

4. Money – shall be counted by confiscating/seizing deputy/detective and verified by one other Sheriff's Office personnel and documented on a property receipt.
5. Precious metals – shall be described by color
6. Jewelry – shall be described by metal color and stone color only
7. Gemstones – shall be described by stone color only
8. Weapons – shall be unloaded prior to submitting and ammunition packaged separately.
9. Liquids – shall be packaged in vials and/or small glass collection bottles to prevent spillage and contamination.
10. Tablets/Capsules
  - a. Shall be packaged in a clear plastic bag intended for evidence submission with all openings properly sealed with evidence tape. Per FDLE submission guidelines, the drugs to be tested must be clearly visible.
  - b. Must be separate from prescription bottles or other packaging that would prevent a visual examination.
  - c. Must be clearly described on the packaging and property receipt to include the following information:
    1. Markings on each side of the tablet/capsules (must indicate if no markings exist).
    2. Weight and/or count (count whole tablets only and indicate if fragments or crushed material are present; EXAMPLE: SL1-four white tablets (A379) and tablet fragments).
    3. Additional information such as shape and color can be included.
11. Powders and Other Solid Substances (crack cocaine, meth, etc.)
  - a. Shall be packaged in a clear plastic bag intended for evidence submission with all openings properly sealed with evidence tape. Per FDLE submission guidelines, the drugs to be tested must be clearly visible.
  - b. Loose powders and other similar substances should be placed in a smaller clear plastic bag before being sealed into the outer plastic bag.
  - c. Contents should be clearly described on packaging to include the weight (indicate whether weight is **with** or **without** packaging).
12. Items of evidence requiring refrigeration will be properly stored and packaged separately.
4. Obtaining standards for comparison for physical evidence is essential for the investigation of crimes. During the course of any preliminary investigation, standards for comparison from known sources will be obtained if possible, and subsequently placed into evidence. If evidence is to be examined at a crime laboratory, it is crucial that standards of comparison be provided if at all possible. Some typical evidence standards include but are not limited to:
  - a. Fingerprints - palm prints – footprints
  - b. Blood

- c. Hairs – fibers
  - d. Paint
  - e. Rope – wire
  - f. Soil - foliage
  - g. Buccal swabs
5. All wet evidence including bloody items should be air dried before they are placed into paper bags. Items will be transported to the drying area in paper bags.
6. All evidence will be sealed, marked, and labeled with the following information:
- a. Case number
  - b. Date and time
  - c. Location where item was found
  - d. Item/article number
  - e. Description of evidence, to include: make, model and serial number where applicable.
  - f. Seal the containers with red colored evidence tape and other appropriate methods
  - g. Initial and date the seals made on the containers by the collecting person
7. Collection and Submission of Bloodstain Evidence
- a. Avoid processing items of evidence for latent prints before submitting them to the laboratory for biological testing. Latent print processing may interfere with subsequent biological examinations.
  - b. When there is liquid blood at the scene, such as a pool of blood, swab some of it on a clean, sterile white cotton gauze or cotton swab, dry at room temperature, package in paper bag or specialized evidence container, label, seal and initial. If there is more than one sample, package separately.
  - c. When there is suspected dried blood at the scene on an object that cannot be moved, photograph the object with and without scales prior to disturbing the evidence. Samples of the dried blood can then be obtained by dampening a sterile cotton swab with distilled water and rubbing the dampened swab onto the stain.
  - d. On items with smooth surfaces, such as glass or metal, which cannot be submitted to the laboratory, using a clean utensil, scrape the suspected blood flakes onto a small piece of paper or petri dish. Fold the paper with the flakes inside and seal in a paper envelope, label and initial.
  - e. On absorbent material such as unfinished wood, cut out the portion containing the stain. Seal in a paper envelope, label and initial. Collect a control sample of the surface area from an unstained area in the same manner.
8. DNA Evidence
- a. Items of evidence to be submitted for DNA testing will be collected and stored in the same manner as those items being submitted for conventional biological examinations.
    - 1. Air dry items, but keep away from fans or extreme heat.
    - 2. Submit entire item with suspected bloodstain to the laboratory, if possible.
    - 3. Obtain buccal swabs from all persons involved.
    - 4. Refrigerate liquid specimen(s).

5. Mark outermost package with biohazard warning symbol and label.
  6. Package liquid blood samples separately and not with other items (clothing, bedding, other evidence)
  7. Do not send partially dried objects, as decomposition will occur.
  8. Do not put stained items into plastic bags, vials or other airtight containers.
  9. Do not attempt to remove a stain from cloth.
  10. Do not remove stains from small solid objects.
  11. Do not mix separate dried stains. Package each individual item in paper bag or box, seal and label.
  12. Do not place evidence in trunk of car. Extreme heat may make blood unsuitable for testing.
  13. Do not process an item for latent prints prior to requesting serological tests.
  14. Do not freeze blood standards.
- b. Detectives investigating sexual offenses will inform the victim of the process and follow Florida Statute 943.326. Detectives will inform the victim of their right to request testing and the process of submitting DNA for testing. DNA Evidence will be submitted within 30 days after receipt or request by individuals. All storage of DNA will be secured and safe until the prosecuting agency has approved its destruction.
9. Computers
- a. For the purpose of this Procedure, a computer can include other devices such as a PDA, cell phone, etc. that has the ability to store electronic data. If a computer is on and you want to save the information in memory, but do not know how to proceed, contact the Computer Evidence Recovery Unit with the Florida Department of Law Enforcement for further assistance.
    1. If the computer has a modem, either internal or external, a telephone line may be attached to the back of the computer or modem. This should be disconnected to prevent deletion of data from a remote location.
    2. After the computer is turned off disconnect the power cords.
    3. If the computer is off, do not turn it back on at the scene. Parking the computer's disk drive heads is not necessary on most computers.
    4. Using adhesive labels, attach numbered labels to all and their associated connecting points (i.e., 1-1, 2-2, 3-3, etc.). This includes monitor, keyboard, printer, mouse and any other item that will be disconnected. Labeling is done to simplify reconnecting the system in the laboratory.
    5. Photograph the computers, cables and accessories after labeling prior to disassembling.
    6. Disconnect all the cables from the computer. Place one blank disk of the appropriate size into each of the computer disk drives to protect the disk drive.

7. Floppy disks and other removable media require special attention during the collection phase. This media could be found in a variety of locations at the crime scene. Browse through the manuals or other papers looking for disks.
8. If practical, remove all disks from manuals and note where they were found. Disks should be separated from other items and treated as very fragile.
9. Collect all printers, font cartridges, print wheels and other associated print items.
10. There are several different types of external hard drives. If the external hard drive uses removable media, the media should be removed prior to packing the drive and transporting. The media that is removed should be marked to indicate that the media was removed from the drive.
11. Packing and transporting Computer Evidence
  - a. Computers should be secured in a manner that prevents movement.
  - b. Do not place computers, disks, tapes and other media in plastic covers/bags. Plastic bags can generate static electricity that can damage computer equipment. Plastic can also cause condensation to form and water is hazardous to electronic equipment.
  - c. If the original containers are available, it is recommended these be used for packaging. If possible, package the computer in a box with Styrofoam or foam rubber padding.

#### 10. Firearms Evidence

- a. Recovery of Firearms
  1. When a firearm is recovered at the scene of a crime, note location and condition (cocked, safety position, jammed, etc.).
  2. Determine what examinations are necessary (biology, latent prints, trace evidence) and handle carefully. If blood or trace evidence is important, send the firearm to the laboratory for examination.
  3. Do not clean, dry fire, take apart or work the action, except as necessary to unload it. Never place any object in the barrel of the weapon.
  4. A gun recovered in fresh water should be collected in the same water and transported to the lab as soon as possible.
  5. A gun recovered in salt water should be removed, placed in oil bath and transported to the lab as soon as possible.
  6. If you have a loaded or jammed gun, or one that cannot be unloaded, contact the Hendry County Sheriff's Office Range Master or FDLE Laboratory to evaluate the options.
  7. Send a copy of the unloading diagram to the laboratory, it is important for the firearm examiner to know.
    - a. If the fired cartridge case came from the chamber with the recent flare.
    - b. From which chamber to fire tests.
    - c. If the misfire was the cartridge under the hammer.

- d. If the next cartridge in the magazine is damaged indicating a malfunction.
  - 8. Send a detailed account to the laboratory of what the shooter was doing with the gun at the moment it was discharged.
- b. Weapon Unloading Procedures
  - 1. Revolver
    - a. Before opening the cylinder, mark both sides of the top strap with a permanent marker or scribe tool (if latent processing is not going to be requested). By doing this, the chamber under the hammer is easily recognizable.
    - b. Open or remove the cylinder.
    - c. Draw a diagram of the back of the cylinder and record the head stamps and positions of live, misfired and fired cartridges. (Transfer this information later to a Hendry County Sheriff's Office preprinted cylinder magazine diagram, to be enclosed with reports.)
    - d. Remove each cartridge, place in individual envelopes, record the chamber number on the envelope, seal and initial it.
    - e. To avoid damage to microscopic detail or loss of trace evidence, do not mark the individual rounds.
  - 2. Semi-automatic pistols
    - a. Remove the magazine but leave the cartridges in place.
    - b. If it is necessary to unload the magazine, place each cartridge in an individual envelope numbered to correspond to the position of it in the magazine (first round removed is #1, etc.).
    - c. Do not reload the magazine.
    - d. Remove the cartridge in the chamber and seal it in an envelope.
  - 3. Derringers
    - a. Place the cartridges in separate envelopes, identifying from which barrel each came.
  - 4. Rifles/Shotguns
    - a. If the magazine is not removable, empty the weapon in the same manner as you would load it.
    - b. If possible, avoid running the cartridges through the action of the weapon.
- c. Fired bullets/fragments
  - 1. Recovery
    - a. Collect all bullets/fragments, as they all may be necessary to determine if more than one gun may have been used.
    - b. Record the location from where they were recovered.
    - c. Handle as little as possible.
    - d. Do not wash or clean bullet/fragments from the scene, trace evidence and blood may be important (to indicate ricochet or passage through a body, etc.).

- e. Do not put the bullet/fragment in pockets as it may cause damage.
  - f. If the bullet/fragment is embedded in an object, cut out a section surrounding the bullet hole and submit it to the lab, where the bullet can be removed without destroying the individual characteristics on its surface.
- d. Cartridge cases and fired shotgun shells
  - 1. Recovery
    - a. Record the locations and recover as many as possible.
    - b. Do not put markings on fired cartridge cases, as individual characteristics may be destroyed.
    - c. Package each exhibit separately to avoid damage or cross contamination.
    - d. Sturdy envelopes, cardboard or plastic boxes are suitable.
- e. Live Cartridges
  - 1. Recovery
    - a. Submit all recovered live cartridges.
    - b. They are necessary for tests and distance determinations.
    - c. Live cartridges recovered from the crime scene may contain individual characteristics that could be matched to a suspect weapon.
    - d. Do not mark the cartridges, as individual characteristics may be destroyed.
    - e. Package live cartridges in a suitable container.
- f. Shot pellets and wadding
  - 1. Recovery
    - a. At the crime scene, take scaled photographs of any shot patterns
    - b. Measure vertical and horizontal angles by inserting dowel rods of the appropriate size or string in several of the holes.
    - c. Take necessary measurements, including size of pattern.
    - d. Make a diagram indicating the measurements and angles.
    - e. Recover a representative sample of shot (30-50 pellets) and all of the wadding (may indicate number of shots fired), if available.
    - f. Do not initial the shot or wadding.
    - g. Place in an appropriate container.
- g. Clothing of Shooting Victims
  - 1. Recovery
    - a. Note the sequence and condition of clothing (unbuttoned, etc.).
    - b. Take all clothing containing bullet holes.
    - c. If possible, remove clothing without cutting it. If clothing must be cut, avoid areas containing bullet holes.
    - d. If clothing is wet, air dry on clean piece of paper.
    - e. Do not place adhesive photo scales on clothing, this may cause cross-contamination or removal of valuable evidence.

- f. Use plastic photo scale on the clothing and clean scale with a towelette after each use to avoid cross-contamination.
- g. Choose an area away from the stains and bullet holes to attach a tag with identifying information. The laboratory will be able to determine:
  - 1. Number of bullet holes
  - 2. Whether they are entrance or exit holes
  - 3. If gunshot residue is present
  - 4. Approximate distance from which the shot was fired.
  - 5. Eliminate caliber's that are too small or large to have caused the holes.
  - 6. After the clothing is dry cover with a piece of paper and roll or fold, to avoid one area of the clothing contaminating another, then seal in a paper bag.

#### 11. Hazardous Materials

- a. Gas, paint, paint thinner, kerosene, antifreeze and related products will not be stored in bulk quantity. The total quantity seized will be measured and a small sample collected for evidence, with the remainder disposed of at the county landfill hazardous material disposal area. The sample and container will be submitted for evidence. Containers must be rinsed out prior to storage.

#### 12. Explosives

- a. Explosives, including fireworks, will not be accepted and are the responsibility of the Southwest Florida Bomb Squad.
- b. Explosives, other than small arms ammunition, will not be transported in HCSO vehicles that are not expressly designed for such purpose.
- c. Explosives, other than small arms ammunition, will not be stored in HCSO vehicles.
- d. When explosives or explosive ordnance is brought to the attention of the Sheriff's Office, the supervisor will request the assistance of the Southwest Florida Bomb Squad.

#### 13. Food Items

- a. Perishable food items will not be accepted for storage.
- b. A photograph of the food item(s) will be taken, packaged, submitted for evidence and receipted to the owner whenever possible.
- c. Unopened canned or jar food items not requiring refrigeration may be accepted for storage.
- d. Food items or drugs suspected of being contaminated will not be accepted for storage. Questions regarding suspected contaminated food or drug items should be referred to the Hendry County Health Department or Federal Food and Drug Administration.

#### 14. Alcoholic Beverages

- a. Sealed or unopened containers may be packaged and submitted for storage.
- b. Contents of an open container will be measured and a sample collected for evidence. The remainder will be disposed of by pouring down a drain



while water is running. The sample and the container may then be submitted for evidence.

15. Prescription Drugs and Medications for Destruction

- a. Districts can refer private citizens to operation medicine cabinet (receptacle is located in the lobby of the HCSO main office) or may receive unused or expired medications and prescription drugs from private citizens (only) under the following protocols:
  1. A sworn HCSO employee will be responsible for receiving medications and prescription drugs turned in by private citizens of the county.
  2. Upon surrender of these items by the citizen, the deputy will contact the Telecommunications Center and request a case report number to be initiated and provided.
  3. All prescriptions in pill, capsule or tablet form will be left in their original pill containers and placed into a sealable HCSO approved evidence bag. Prescriptions may be co-mingled and need not be separated by type, color, etc. The evidence bag will be annotated with the date, time, weight of bag, the deputy's initials and ID#, and marked "Misc. Prescriptions and Containers".
  4. Medications in liquid form will remain in their original containers ensuring they are properly closed and will subsequently be placed into a sealable HCSO approved evidence bag. The evidence bag will be annotated with the date, time, weight of bag, and the deputy's initials and ID#.
  5. All sealed evidence bags will be consolidated into a large brown (grocery) style evidence bag, sealed and marked in accordance with standard evidence marking guidelines. The total weight of these miscellaneous medications will be recorded on the property receipt.
  6. The name, address, and contact phone number of the surrendering party will be recorded on the property receipt in the "received from" section. The surrendering party will be provided with the appropriate copy of the property receipt upon its completion.
  7. The secured bag of receipted medications will be placed into an evidence locker.
  8. The receiving/processing deputy will personally annotate the following mandatory comments in the CAD call:
    - a. Medications/prescriptions FOR DESTRUCTION;
    - b. Name, address and phone number of surrendering person;
    - c. Total weight of the turned in items (bagged).
  9. The following medical items WILL NOT be accepted for destruction:
    - a. Chemotherapy drugs of any kind
    - b. Aerosol canisters, dispensers or administrators of asthma medications
    - c. Over-the-counter medical supplies (cold remedies, decongestants, ace bandages, etc.). The surrendering

individual should be instructed that these items may be disposed of in the garbage.

**B. Processing the Scene for Latent Prints**

1. Firearms collected for latent fingerprint evidence will be packaged in boxes so evidence will be protected.
2. The scene should be examined and evaluated to determine best method and procedures for processing.
3. When utilizing conventional black powder the following procedure will be used:
  - a. Apply the powder using a standard, fiberglass latent print brush.
  - b. Before applying the powder to the brush, gently spin the brush between your index finger and thumb to separate the bristles.
  - c. Lightly dab the bristles into the powder and slowly rotate the brush between your index finger and thumb several times or lightly tap the handle of the brush to remove excess powder. Utilize small amounts of powder on the brush.
  - d. Apply the powder to the surface by lightly twirling the brush or lightly sweeping the brush back and forth over the object.
  - e. If friction ridge detail is developed, but is light, the brush should be reapplied to the powder and the process continued/repeated.
  - f. If the friction ridge detail is developed, but is “matted” with thick spots of powder, a camel hair brush can be used to clean the print up. Again, lightly sweep the latent print with the camel hair brush in the direction the friction ridges are flowing.
  - g. Some latent prints develop with very poor contrast, due to small amounts of residue. By breathing on the print you may be able to add residue and improve contrast. Allow several seconds to pass, then reapply powder in the above-described manner.
4. Recovery of the developed latent print may be accomplished by the following methods:
  - a. Photography
  - b. Lifting tape
  - c. Rubber lifters
  - d. Casting material
5. Recovering Latent Prints With Lifting Tape
  - a. The tape end will be folded over to allow an area where the tape can be held secure and aid in avoiding leaving the person’s prints on the tape.
    1. The adhesive side of the tape should then be placed over the latent print and the glossy side lightly rubbed using a finger to ensure the print adheres to the tape and to eliminate air bubbles.
    2. Once the tape has been applied, separate the tape from the roll. Fold over the end of the tape for the next lift.
    3. The strip of tape should then be removed from the object and placed on a Hendry County Sheriff’s Office preprinted latent card. These cards are glossy on one side and matte finished on the other. The tape bearing the latent print should be placed on the glossy side of the card.

4. Once the latent has been placed on the latent lift card, the person making the lift will initial the tape and card on the glossy side without damaging the latent lift.
5. On the matte side of the latent lift card, the person making the latent lift will fill out the required preprinted information requested on the back of the latent card to include:
  - a. Case report number
  - b. Date
  - c. The person who developed the lifted latent
  - d. The type of case
  - e. Address of occurrence
  - f. Description/drawing of location where latent was taken from
  - g. Should other powders be utilized, i.e., magnetic, gray, white, the same application, lifting and documentation techniques are to be used. The exceptions would be with magnetic powder, where a magnetic brush would be used to apply the powder, and with lighter colored powders, where a black faced card would be used to save the latent print.
  - h. The person obtaining the latent print will examine the card before submitting it to the Crime Scene Unit, and cross out any prints that he/she left on the tape or card while making the lift.
  - i. The latent cards will be submitted to FDLE latent print examiner(s) with a completed Latent Print Submission Form.
  - j. The top section of the Latent Print Submission Form should be completely filled out by the person submitting the latent cards. The form information should include the names, sex/race, date of birth and CID number of any suspects, victims and witnesses who might have deposited the latent prints.
  - k. The latent print cards along with the completed Latent Print Submission Form will be placed in the designated latent print locker that is available at each district. Retrieval of the latent print cards and forms from the locker is the responsibility of the evidence technicians.

#### C. Documentation and Storage

##### 1. Property Receipt Form

- a. Employees will fully complete a property receipt form on all found, recovered or evidentiary property.
- b. Personnel collecting property will:
  1. Ensure that property collected at different locations under the same case number has a property receipt form for each location. Each property receipt will contain:
    - a. A description of each item of property, to include identification numbers if applicable.

- b. The circumstance by which the property came into the agency's possession.
- 2. If multiple property receipts are obtained under the same case number, care must be taken to sequentially number items of evidence originating from different locations. If multiple agency personnel are recovering evidence pursuant to the same case, it is recommended that each person prefix each item of evidence's number with an additional designator utilizing his/her initials, i.e.: John Doe would use JD1, JD2, etc.
- 3. List the source or location from where the item(s) were obtained.
- 4. Indicate the name of the person collecting the items on the Property Receipt Form.
- 5. Print his/her name and sign the Property Receipt Form in the appropriate blocks.
- c. Evidence unit record all property receipt forms in an evidence log system. Evidence logging system will reflect current location of evidence, date and time evidence was received/released, description of the evidence, and chain of custody from time of receipt until final disposition.
- 2. Maintain Chain of Custody
  - a. The deputy/detective/technician collecting evidence will seal it and mark all seals with their initials and the date to protect against tampering.
  - b. Any deputy/detective/technician opening packages to examine evidence will open the package in an area without a seal.
  - c. After examination, the deputy/detective/technician will seal his/her cut and mark the seal with initials and date.
  - d. Examined evidence will have at least two different seals.
  - e. A Hendry County Sheriff's Office Property Receipt will be completed and kept on all evidence reflecting the obtaining, handling, transferring, and disposition of evidence.
  - f. For all transactions where evidence or property is transferred from one person to another, the transfer will reflect the signature and responsibility of the receiver, the date, time, method of the transfer, and the reason for the transfer. If transfer to lab the documentation will reflect the date and time of receipt in the laboratory, name and location of the laboratory, synopsis of the event, and examinations desired. This information will be reflected on the property receipt and in the evidence log system. All laboratory submissions will have a supplemental report. A written case report if necessary to fully articulate the reason for the transfer.
    - 1. Evidence required for court proceedings will be obtained from the Evidence Unit. The property receipt will be completed as to who received the evidence, reason received, date and time. The evidence may then be returned to the Evidence Unit either directly or by placing in the secured evidence lockers located at the districts.
  - g. All found, recovered, seized or evidentiary property will be stored in the Sheriff's Office's evidence storage facility, or in a secured agency evidence collection site. Property/Evidence is controlled to prevent the

alteration, unauthorized removal, theft, or other compromise of evidence stored by the agency and to maintain chain of custody.

3. Handling, Control and Responsibility for Evidentiary Property

- a. All property/evidence coming into custody of agency personnel will be turned in to the Evidence Unit, complete with all proper documentation, at the end of that day's tour of duty.
- b. All property/evidence will be turned in to a designated temporary evidence locker, refrigerated, or to an evidence technician. A deputy, detective, or civilian employee will not retain property/evidence beyond their tour of duty, unless it is an emergency situation and a documented supervisor approval has been completed.
- c. All found, recovered and evidentiary property will be turned over to the Evidence Unit or documented and released to the legal owner or his/her representative.

4. Evidence Lockers

- a. The agency maintains its primary property/evidence secure storage facility at 101 South Bridge Street, LaBelle, FL.
- b. Evidence lockers are located in each district for the purpose of temporary storage of evidence, found, or recovered property. The evidence lockers will be available twenty-four (24) hours a day, seven (7) days a week.
- c. Evidence lockers are equipped so that items may be placed inside the locker and, once locked, cannot be re-opened except by an Evidence Technician, who maintains the only keys. All property/evidence for submission will be packaged according to this directive.
- d. The deputy will select an appropriate size locker and place the property/evidence into the locker.
- e. The completed, original property receipt and any other paperwork associated with the property/evidence will be placed inside the locker with the property/evidence.
- f. The deputy will close the locker and snap the padlock shut.
- g. The submitting deputy/detective shall log the evidence in on the evidence log sheet that is attached to the evidence lockers.
- h. Should the evidence lockers at the districts or sub-stations be full, the Evidence Unit will be notified.
- i. Property/evidence requiring refrigeration is to be submitted to any district and stored in a designated locked refrigerator.
- j. The on-call evidence technician will be notified when property/evidence for submission is too large for the evidence lockers and/or whenever large amounts of drugs or cash are to be stored. Drug and currency seizures shall be evaluated by a Criminal Investigations Unit supervisor for storage location direction. Currency amounts seized over \$2,000 and up to \$10,000 are permitted to be stored in an approved secured evidence locker with notification made to the on-call evidence technician. Seized currency in excess of \$10,000 or drug amounts considered too large to safely store at a district evidence locker requires notification of the on-call evidence technician who will take possession of the seizure for storage within the Evidence Unit. The on-call evidence technician will retrieve seized drugs and cash from evidence lockers within 24 hours of notification. A sworn

deputy will escort the evidence technician during transportation for security purposes.

- k. Evidence Unit personnel will retrieve property/evidence from the districts two (2) days per week, except holidays, and transport the property to the Evidence Unit located at 101 S. Bridge St. LaBelle, Florida. Evidence will be retrieved from temporary storage areas in the districts upon request from district supervisory personnel. All evidence and property in the custody of the Sheriff's Office will be logged into Evidence logging system within 72 hours. The CID Captain or designee may extend this time limit if exigent circumstances dictate, such as large amounts of evidence seized on a case.
- 5. Refrigerators
    - a. Refrigerators will be located in the evidence storage facility and at all districts. All sheriff's office locations have generators for in the event of power outage
    - b. The refrigerators located at each district will contain a locking mechanism for the securing of perishable items of evidence.
    - c. Evidence personnel will have the only keys to the refrigerators.
  - 6. Storage of Property Requiring added Protection
    - a. Items of property requiring added protection will be segregated and locked inside a secured and separate area within the Evidence Unit.
    - b. Special security risk items will be packaged separately as directed.
    - c. Paraphernalia is not sent to the laboratory unless requested by the State Attorney's Office by way of the "Fastrack" system. When submitting drug paraphernalia such as pipes, syringes, mirrors, roach clips, etc., for laboratory analysis, personnel will adhere to the following guidelines:
      - 1. The item in question is the only useful evidence in the case.
      - 2. Do not submit multiple items of the same circumstance.
      - 3. A visible drug residue is present.
      - 4. In case of ashtrays, roach clips and pipes, cannabis residue should consist of visible, un-charred leafy material. The leafy material should be removed, packaged and submitted to the laboratory for analysis if requested. In cannabis cases consisting of several pounds of material, a sample that is in excess of twenty (20) grams (dry weight) will be packaged separately and submitted for analysis. The remainder of the material will be submitted to the Evidence Unit.
      - 5. When paraphernalia is "swabbed" to perform a presumptive test to satisfy probable cause for an arrest but there is not enough residue left for analysis, the analyst cannot confirm the results of the presumptive test.
      - 6. In misdemeanor paraphernalia cases where there is insufficient residue to perform both, a presumptive test and laboratory test, the presumptive test may be omitted. However, a complete description of the paraphernalia as well as the following paragraph must be included in the Charging Affidavit: "Based on my experience as a law enforcement officer, I recognize this paraphernalia to be used in common practice with drug-related items. From the content's

appearance and odor, I believe this item has been used for illegal drug consumption.”

- d. Money
  - 1. Personnel will count all money by individual denominations. (e.g., number of \$1.00, \$5.00, etc.).
  - 2. Each denomination amount will be recorded on packaging and the total amount reflected.
  - 3. Money shall be verified and documented by a second person.
  - 4. Money will be packaged separately from other evidence.
- 7. Transporting Evidence for Examination to the FDLE, FBI or other approved laboratories
  - a. Evidence hand carried to the laboratory will be packaged separately to prevent cross-contamination.
  - b. The Evidence Unit supervisor or designee is responsible for the submission, coordination, control, and transportation of evidence to approved labs. There will be circumstances where other agency personnel will submit evidence to a laboratory. In these cases, the Evidence Unit supervisor will be notified of the circumstances surrounding the submission.
  - c. The requesting person will submit the Request for Examination of Physical Evidence by FDLE form with the evidence.
  - d. Do not package the form within the evidence.
  - e. Each item will be clearly marked with the case number, item number and type of evidence and Laboratory Examination Number.
    - 1. Note any warnings on package for firearm unloaded, sharp object, glass, bio-hazards, liquid blood inside – refrigerate, and/or fragile
  - f. Require that the receiving laboratory representative sign for the evidence. The Property Receipt will be signed and reflect, person receiving the evidence, where evidence was received, laboratory case number, and date and time of received.
  - g. All laboratory results and reports of examinations conducted by all laboratories will be submitted to the Sheriff’s Office in writing. Personnel are allowed to act based on verbal reports by laboratory examiners, however, the agency personnel receiving the verbal information will notify their supervisor prior to acting on the verbal information.
  - h. Procedures for Hand delivering evidence
    - 1. Do not package the Laboratory Exam Request form in the evidence. The form will be placed in an envelope and attached outside the sealed package.
    - 2. Pack the evidence securely in a box to prevent damage and seal the box.
    - 3. Wrap the sealed box in wrapping paper and tape securely.
    - 4. Note any warnings on the package in the same manner as hand delivered evidence.
    - 5. Package any container with liquid evidence in ziplock bags.
    - 6. Sharp items, knives, scalpels, syringes, etc., will be packaged in a puncture proof container.
    - 7. Flammable liquids or explosives will not be mailed.

i. Submission of perishable evidence

1. When evidence consists of perishable items such as fresh blood, blood stained objects, other physiological stains, tissue and biological materials, the following procedures will be used in the submission of such items to the laboratory for examination.
2. Submit samples of liquid blood from the victim(s) and the suspect(s).
3. Label the vial with the first and last name of the person from whom the blood was drawn, the initials of the person withdrawing the blood and the date.
4. Seal the vial and forward it to the laboratory as soon as possible.
5. Refrigerate, do not freeze liquid blood samples.
6. When hand delivering blood evidence to the laboratory,
7. Mark the container "LIQUID BLOOD INSIDE, REFRIGERATE UPON ARRIVAL."
8. Place a biohazard label on the outside of the container making it clearly visible.
9. Hand delivered once a week, if possible, to assure receipt by the laboratory before the weekend.
10. In cases where perishable evidence has been obtained and the suspect is unknown, the evidence will be stored in the Evidence Unit of the Hendry County Sheriff's Office for later laboratory submission along with the standards obtained from the victim.
11. Package properly to avoid damage during deliver and transport.
12. Guns will always be submitted unloaded unless a malfunction prevents unloading. In this case the gun should be hand carried and safely given to the laboratory examiner.
13. Write a brief summary of the case on the laboratory submission form.
14. Inform the lab of the type of forensic examination requested.
15. Supply a contact telephone number should a question arise by the examiner.
16. Supply the name(s) of the detectives/technicians assigned to the case.

D. Release of Evidence

1. Photographing/Releasing Evidence to Owners

- a. Whenever possible, property should be photographed and returned to the owner. A photograph of returned property and a "affidavit of ownership" may be used as evidence in lieu of the actual property.
- b. For the photograph to be admissible, the following information is required on the photograph:
  1. A written description of the property alleged to have been wrongfully taken.
  2. The name of the owner of the property.
  3. The location where the property was stolen (not recovered location).
  4. The name of the investigating law enforcement officer.
  5. The date the photograph was taken.



6. The name of the photographer.
  7. Only after the above guidelines have been met, can the photographed property be released to the owner.
2. Disposition of Property
  - a. Personnel who submit lost, recovered or evidentiary property will receive an Evidence Disposition Authorization Form from the Evidence Unit.
  - b. Narcotics will be documented and completed according to Florida Statute 893.12 and 705.105.
  - c. All court orders to release property to owner will be completed.
  - d. Unit supervisors are responsible to ensure that their assigned personnel complete and return the property disposition forms to the Evidence Unit by their due dates. This allows unnecessary evidence to be properly disposed of in accordance with Florida Statutes.
  - e. Upon seizing an item of evidence or property, the seizing deputy will make every reasonable effort to identify and notify the owner of the evidence or property via a telephone call, attempt to contact at residence, letter, etc. The property or evidence will be released to the owner pursuant to Florida Statute 90.91 unless there is a competing demand placed on the evidence or property such as a forensic examination or the investigative necessity to retain the item.
- E. Inspections/Inventory
  1. Property/Evidence technician is accountable for all property within their control. Whenever the evidence technician is transferred and another evidence technician is appointed, a joint inventory shall be conducted by the former custodian, if available, or agency's designee and the new appointee.
  2. The Sheriff will designate an employee to conduct an internal audit on property/evidence unit. The audit will be documented in writing and submitted to the Chief Deputy for approval and maintained in the evidence unit. The designated employee will conduct a documented quarterly unannounced audit of the property/evidence unit for the following;
    - a. Examination of conformance with agency controls, policies and procedure
    - b. Storage areas for organization and orderliness.
    - c. Full or Partial (large amount to ensure accuracy) accounting of property/evidence will be conducted.
    - d. Purging by lawful methods
    - e. Any lost, missing, or stolen property/evidence will have a follow-up investigation. Follow-up will be completed in a reasonable time and can result in corrective actions.

## DEFINITIONS

**EVIDENCE** – Any item that is to be securely kept for use in the prosecution of a criminal act.

**EVIDENTIARY PROPERTY** – Property that is related to a crime, associated with an investigation, or designated as evidence by a law enforcement officer.

**FASTRACKING REQUEST** – A procedure for expediting the handling of illegal drug analysis by the FDLE lab.

**FOUND PROPERTY** – Non-evidentiary property that has been lost and is not attributed to a criminal offense or investigation.

**RECOVERED PROPERTY** – Non-evidentiary property that is being held for temporary protection.

## **REFERENCES**

### State/Federal Regulations:

Title 18 USC Section 922  
Florida Statute 90.91  
Florida Statute 705.103  
Florida Statute 705.104  
Florida Statute 705.105  
Florida Statute 790.07  
Florida Statute 932.705

### CFA:

CFA Standards 27.01M, 27.02M, 27.03M, 27.06M, 27.07M, 27.08M, 27.09M, 27.10M, 27.11M, 27.13M, 27.14M, 27.15M, 28.01M, 28.02M, 28.03M, and 28.04M

### Forms:

500.40-01 Property Receipt Form  
500.40-02 FDLE Request for Examination of Physical Evidence

### Other Policy/ Procedure References:

500.60 Digital Imaging